

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PAMELA HELLMANN and DAN  
HELLMANN,

Plaintiffs,

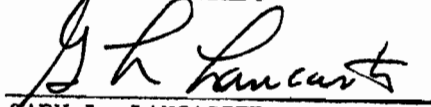
v.

SCOTT KERCHER, individually and in  
His Official Capacity as a Law Enforcement  
Officer of ROSSLYN FARMS BOROUGH,  
LARRY FISCHIO, in his Official Capacity as  
Chief of Police of the ROSSLYN FARMS  
POLICE DEPARTMENT; the ROSSLYN  
FARMS POLICE DEPARTMENT; and the  
BOROUGH OF ROSSLYN FARMS,

Defendants.

Civil Action No. 07-cv-1373

JURY TRIAL DEMANDED

AND NOW, THIS 28<sup>th</sup> DAY OF  
July 08, IT IS HEREBY  
ORDERED THAT THE WITHIN  
MOTION IS DENIED.  
  
GARY L. LANCASTER,  
UNITED STATES DISTRICT JUDGE

**MOTION TO STRIKE DEFENDANTS' MOTIONS  
TO DISMISS THE SECOND AMENDED COMPLAINT**

Plaintiffs, Pamela Hellmann ("Mrs. Hellmann") and Dan Hellmann ("Mr. Hellmann")  
(sometimes incorrectly referred to as "Hellman" by various Defendants), wife and husband,  
respectively, by and through their undersigned counsel, Blumling & Gusky, LLP, file the within  
Plaintiff's Motion to Strike Defendants' Motion to Dismiss the Second Amended Complaint  
filed by Defendant, Scott Kercher ("Kercher"), and the Motion to Dismiss the Second Amended  
Complaint filed by Defendants Larry Fischio ("Fischio"), the Borough of Rosslyn Farms  
("Borough") and the Rosslyn Farms Police Department ("Department"), and in support thereof  
state and aver as follows: